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T.R.A. DOCKET ROOM

December 16, 2003

Hon. Deborah Taylor Tate
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee TN 37238

Re: Implementation of the Federal Communications Commission's
Triennial Review Order (Nine -Month Proceeding) (Loop & Transport)
Docket 03-00527


Dear Chairman Tate:

Enclosed please find non-proprietary responses and objections on behalf of US LEC of Tennessee Inc. to BellSouth's Telecommunications, Inc.'s Interrogatories (1-25) and Request for Production of Documents (1-5).

Copies have been served on all parties of record.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:  /s.
Henry Walker

HW/cw

December 16, 2003

- 1 -

5. US LEC objects to all Interrogatories that require the disclosure of information which already is in the public domain, BellSouth already has possession of or unrestricted access to, and information that is otherwise on record with the Commission or the FCC.

6. US LEC objects to BellSouth's Interrogatories to US LEC to the extent that the interrogatories seek information and discovery of facts known and opinions held by experts acquired and/or developed in anticipation of litigation or for hearing and outside the scope of discoverable information pursuant to the Tennessee Rules of Civil Procedure.

7. Pursuant to the Procedural Order, the TRO, and the Tennessee Rules of Civil Procedure, to the extent that BellSouth's interrogatories request specific financial, business or proprietary information regarding US LEC's economic business model, US LEC objects to providing or producing any such information on the grounds that those requests presume that the market entry analysis is contingent upon US LEC's economic business model instead of the hypothetical business model contemplated by the TRO.

8. US LEC objects to BellSouth's Interrogatories to the extent they seek information related to special access circuits purchased out of BellSouth's interstate tariff rather than to unbundled network elements.

9. US LEC objects to BellSouth's definition of "business case" as vague and overly broad.

10. Pursuant to the Procedural Order, the TRO, and the Tennessee Rules of Civil Procedure, to the extent that BellSouth's interrogatories request specific financial, business or proprietary information regarding US LEC's economic business model, US LEC objects to providing or producing any such information on the grounds that those requests presume that the market entry analysis is contingent upon US LEC's economic business model instead of the hypothetical business model contemplated by the TRO.

11. US LEC objects to BellSouth's definitions of "hot cut," "batch hot cut," "individual hot cut," "coordinated cut over" and "coordinated time-specific cut over" and each and every interrogatory that includes such terms, as such definitions are vague and not adequately defined in that it is not clear whether or to what extent BellSouth's practices are consistent with the FCC's use of such terms. The reference in BellSouth's definition of "hot cut" to the "entire process" is vague in that it is not clear whether this includes number portability or whether it is limited to the physical process of transferring a customer. The term "batch" is vague in that it is unclear how many lines or customers constitute a "batch" or whether conversion of a single customer with several accounts would constitute a "batch." BellSouth's use of the term "individual hot cut" is vague in that it is defined with reference to "batch hot cuts," which is itself vague and ambiguous. BellSouth's definitions of "coordinated cut over" and "coordinated time-specific cut over" are vague and ambiguous. The distinctions among BellSouth's definitions for "hot cuts," "individual hot cuts," "coordinated cut overs" and coordinated time-specific cut overs" are unclear. Thus, such discovery is over broad and it would be unduly burdensome for US LEC to respond to such ambiguous discovery. US LEC

to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you “own” a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optonics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

3. Affirm or deny whether you have acquired on a wholesale basis from a third party DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the nine Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:

- a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the “low alpha” (alphabetically first) CLLI code as Wire Center A and the “high alpha” CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
- b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
- c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
- d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
- f. Whether you are able to immediately provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:

- a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the “low alpha” (alphabetically first) CLLI code as Wire Center A and the “high alpha” CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
- b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
- c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
- d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
- f. Whether you are willing and able immediately to provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):

- a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
- b. The name of the carrier or company from whom you received or purchased the transport;
- c. Whether you are operationally ready to provide transport using these facilities; and
- d. The capacity deployed and the capacity active on the route as of September 30, 2003.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers..

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you “own” as defined in 8 above should not be included in this response.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you “own” as defined in 9 above should not be included in this response.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

12. For each state in Questions 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:

- a. The RSAG valid address of each customer location.
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:

- a. The RSAG valid address of each customer location.
- b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
- f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
- g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:

- a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
- b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
- c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).
- d. The amount of unused or excess space in each collocation space.

- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber “entrance” facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber “entrance” facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are operationally ready to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:
 BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

16. For each central office/wire center identified in response to Interrogatory No. 16:

- a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. *This interrogatory varies from Interrogatory No.2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC – points of presence (“POP”) should be identified:*

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;

- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

17. For each central office/wire center identified in response to Interrogatory No. 16:

- a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer

specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:

- a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
- b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
- c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.

- a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
- b. For each service identified in (a), list the average monthly revenue associated with each type of service.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This

interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:

- a. The RSAG valid address of the customer location;
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
- c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
- d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
- e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:

- a. pick up additional traffic;
- b. pick up additional or new customers;
- c. pick up additional or new buildings.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

Objections and Responses to Requests for Production

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that there are no such documents identified.

3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within Tennessee.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no documents responsive to this request which are used to serve Tennessee customers.

4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no documents responsive to this request which are used to serve Tennessee customers.

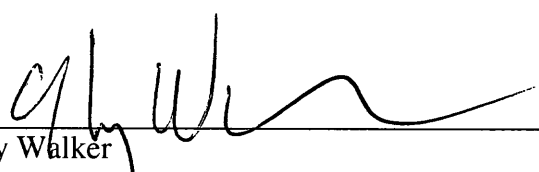
5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

Response: US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no documents responsive to this request which are used to serve Tennessee customers.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: _____


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CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2003, a copy of the foregoing document was serviced on the parties of record, via US mail:

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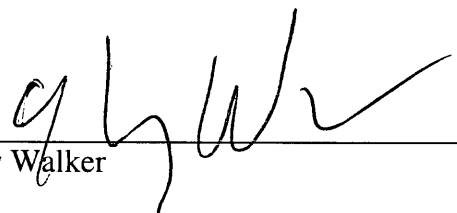
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Henry Walker

Self-Provisioned Retail Loop Information Spreadsheet page 2				
Retail Loop Premises Access				
Customer Address				
Address	City	Zip	Barrier to access	Steps taken to remove barrier
US LEC of Tennessee Inc. has no facilities responsive to this request.				

Wholesale Loop Information Spreadsheet, Page 1

[illegible]

Wholesale Loop Information Spreadsheet page 2			
Wholesale Loop Premises Access			
Customer Address			
Address	City	Zip	Barrier to access
			Steps taken to remove barrier
US LEC of Tennessee Inc. has no facilities responsive to this request.			

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access					
Wire Center "A"			Wire Center "Z"		
Wire Center CLLI code	Collocation ACTL CLLI	Collocation "owner"	Wire Center CLLI code	Collocation ACTL CLLI	Collocation "owner"
US LEC of Tennessee Inc. has no facilities responsive to this request.					

State: Tennessee

Wire Center "A"		Wire Center "Z"		Reporting Company Name	Facility wholly owned (Yes, No)	If No, third party facility vendor	Dark Fiber on IRU basis from BellSouth (Yes, No)	Facilities operationally ready (Yes, No)	Capacity In-Service		Capacity Deployed	
CLLI Code	Access to Collocation (Yes, No)	CLLI Code	Access to Collocation (Yes, No)						DS1	DS3	Dark Fibers	DS1

US LEC of Tennessee Inc. has no facilities responsive to this request.

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access					
Wire Center "A"			Wire Center "Z"		
Wire Center CLLI code	Collocation ACTL CLLI	Collocation "owner"	Wire Center CLLI code	Collocation ACTL CLLI	Collocation "owner"
US LEC of Tennessee Inc. has no facilities responsive to this request.					